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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**HINDU AMERICAN FOUNDATION, INC.,  
a Florida Not-For-Profit Corporation;  
SAMIR KALRA; MIHIR MEGHANI;  
SANGEETHA SHANKAR; DILIP AMIN,  
SUNDAR IYER, RAMANA KOMPELLA,  
SHAISHAV DESAI, and SRIVATS IYER,  
as individuals;**

Plaintiffs,

**v.**

**KEVIN KISH, an individual, in his official  
capacity as Director of the California Civil  
Rights Department; and Does 1-50,  
inclusive,**

Defendants.

Case No. 2:22-CV-01656-DAD-JDP

**STIPULATION AND REQUEST TO SET  
BRIEFING SCHEDULE FOR  
DEFENDANT'S FORTHCOMING  
MOTION TO DISMISS SECOND  
AMENDED COMPLAINT**

Hearing Date: December 3, 2024  
Time: 1:30 p.m.  
Judge: Hon. Dale A. Drozd

Compl. filed: September 20, 2022

Second Am. Compl. filed: August 27, 2024

1 Plaintiffs Hindu American Foundation, Inc. (HAF), Samir Kalra, Mihir Meghani,  
2 Sangeetha Shankar, Dilip Amin, Sundar Iyer, Ramana Kompella, Shaishav Desai, and Srivats  
3 Iyer (collectively “Plaintiffs”) and Defendant Kevin Kish, in his official capacity as the Director  
4 of the California Civil Rights Department (CRD) (together, the “Parties”), through their  
5 undersigned counsel and pursuant to Federal Rule of Civil Procedure 6 and Local Rule 144,  
6 hereby stipulate to and jointly request an order setting the briefing schedule for Defendant’s  
7 forthcoming Motion to Dismiss Plaintiff’s Second Amended Complaint pursuant to the *Younger*  
8 abstention doctrine and Federal Rule of Civil Procedure Rule 12(b).

9 In support of this Stipulation and Request to Set Briefing Schedule for Defendant’s  
10 Forthcoming Motion to Dismiss First Second Complaint, the Parties jointly state as follows:

- 11 1. Plaintiff’s Complaint was filed on September 20, 2022 (ECF No. 1), and served on  
12 Director Kish on November 17, 2022 (ECF No. 4).
- 13 2. On February 6, 2023, Defendant filed his timely Motion to Dismiss Plaintiff’s  
14 Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) and  
15 supporting documents (ECF Nos. 8, 10). After considering the Parties’ briefing,  
16 the Court issued an order on August 31, 2023, that granted Director Kish’s Motion  
17 to Dismiss and provided leave for HAF to file an amended complaint within 21  
18 days of entry of the order. (ECF No. 20).
- 19 3. On September 21, 2023, Plaintiff HAF filed its timely First Amended Complaint.  
20 (ECF No. 21). Plaintiffs’ First Amended Complaint includes two new claims and  
21 nine new plaintiffs, including three “Doe” Plaintiffs who seek to proceed under  
22 pseudonyms and whose identities have not been disclosed to Defendant Kish or his  
23 counsel. (ECF No. 21; *see* ECF No. 24).
- 24 4. On October 6, 2023, Plaintiffs filed their Motion to Proceed Under Pseudonyms  
25 for the three unnamed Doe Plaintiffs. (ECF No. 24).
- 26 5. On May 20, 2024, Defendant filed his timely Motion to Dismiss Plaintiffs’ First  
27 Amended Complaint and Opposition to Plaintiffs’ Motion to Proceed Under  
28 Pseudonyms. (ECF Nos. 41-42 and 40, respectively). After considering the

Parties' briefing, the Court issued an order on August 13, 2024, that denied Plaintiffs' Motion to Proceed Under Pseudonyms and ordered Plaintiffs to amend their complaint within 14 days to either name or dismiss the Doe Plaintiffs. (ECF No. 49). In the same order, the Court denied Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint as moot, and noted that Defendant could renew his motion after Plaintiffs amended their complaint. (*Id.*)

6. On August 27, 2024, Plaintiffs filed their timely Second Amended Complaint. (ECF No. 50).

7. Defendant's Kish's forthcoming Motion to Dismiss Plaintiffs' Second Amended Complaint is due on September 10, 2024. (Fed. R. Civ. P. 15(a)(3)). In accordance with the Court's Standing Order, Defendant Kish intends to notice the hearing for Tuesday, December 3, 2024, at 1:30 p.m. by Zoom.

8. Pursuant to Local Rule 230(c) and (d), Plaintiffs' anticipated opposition would be due within 14 days on September 24 and Defendant's anticipated reply would be due within 10 days on October 4.

9. In light of the number and complexity of the issues presented in this matter, as well as counsel's pre-existing deadlines and travel plans, the Parties require additional time to file their respective opposition and reply briefs pertaining to Defendant's forthcoming Motion to Dismiss Plaintiffs' Second Amended Complaint. The Parties have not previously sought or obtained any extensions of time to file these briefs.

10. The Parties have conferred and hereby agree and request that the Court extend Plaintiffs' time to oppose to Defendant's forthcoming Motion to Dismiss Plaintiff's Second Amended Complaint by 24 days, and Defendant's time to reply to Plaintiffs' opposition by 21 days. (L.R. 144(a)). Plaintiffs will file their opposition on or before October 18, 2024. Defendant will file his reply on or before November 18, 2024.

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Based on the foregoing, the Parties respectfully request that this Court enter an order as follows:

- (i) Setting the briefing schedule for Defendant's forthcoming Motion to Dismiss Plaintiffs' Second Amended Complaint (*see* ECF No. 50) as follows:
- a. Defendant shall file his motion on or before September 10, 2024;
  - b. Plaintiffs shall file their opposition on or before October 18, 2024; and
  - c. Defendant shall file his reply on or before November 18, 2024.

Dated: September 9, 2024

Respectfully submitted,

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Supervising Deputy Attorney General

/s/  
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/s/ (as authorized on Sept. 9, 2024)  
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